

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

FEDERAL TRADE COMMISSION,)	
)	
Plaintiff,)	
v.)	
)	Civ. No. 04-11136 - GAO
DIRECT MARKETING CONCEPTS, INC., et al.,)	
)	
Defendants.)	
)	

**PLAINTIFF FEDERAL TRADE COMMISSION’S MOTION FOR LEAVE
TO FILE MEMORANDUM EXCEEDING PAGE LIMIT**

Plaintiff Federal Trade Commission (“Commission”) respectfully requests leave to file a Memorandum in Support of its Motion to Strike Affidavits Submitted by Defendants in Support of Their Oppositions to Plaintiff’s Motion for Summary Judgment and Plaintiff’s Responses to Defendant’s Evidentiary Objections (“Memorandum”) exceeding the page limit specified in Rule 7.1(b)(4) of the Local Rules.

Pursuant to Federal Rule of Civil Procedure 56(e), the Commission's Memorandum argues that the Court should strike from the record all or substantial portions of seven affidavits that Defendants submitted with their oppositions to the Commission's Motion for Summary Judgment. In so doing, the Memorandum necessarily re-states or summarizes many paragraphs of seven different affidavits and explains, on a paragraph by paragraph basis, the FTC's particular objections to the testimony contained within each affidavit. In addition, the Memorandum responds to the Defendants' objections to evidence the Commission cited in its Motion for Summary Judgment. The Commission has made every effort to be concise in its Memorandum. Nevertheless, the substantial amount of evidence the Commission must address

in its Memorandum has led the Commission to exceed the page limit specified in Local Rule 7.1(b)(4)

Wherefore, Plaintiff respectfully requests that this Court issue an order allowing the filing of its Memorandum in excess of twenty (20) pages. For the Court's convenience, a proposed Order is provided along with this motion.

Respectfully submitted,

/s/ Edward Glennon
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DATE: March 3, 2006

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on March 3, 2006.

/s/ Edward Glennon
Edward Glennon